

**ZONING BOARD OF APPEALS**

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ZBA 2010-50
Petition of Federal Realty
161-231 Linden Street (Linden Square)

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, June 17, 2010 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of FEDERAL REALTY requesting amendment of Site Plan Approval (ZBA 2006-28) that was granted on June 2, 2006, pursuant to the provisions of Section XIVG, Section XVIA and Section XXV of the Zoning Bylaw, for site and landscape improvements, at 161 – 231 LINDEN STREET (LINDEN SQUARE), in an Industrial District and Linden Street Corridor Overlay District.

On June 3, 2010, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Mike Kelleher, Federal Realty (the "Petitioner"). He said that the proposal is to improve the site with landscaping and other changes to improve functionality. He said that also present were Rick Cataffa, Federal Realty, and Rob Adams, Halvorson Design.

Mr. Adams displayed a Powerpoint presentation (retained by proponent). He said that part of the proposal is to create greenspace at the intersection of the road.

The Board said that it was concerned about the proposed wrought iron on the building and the number of signs and lights. The Board said that it concurred with the Design Review Board's (DRB) recommendations.

Rick Cataffa said that he is the Design Manager. He said that they did a significant study of lighting in Wellesley, which they tried to replicate. He said that they chose a linear LED fixture that is effective in low use of energy. He said that the fixture can be dimmed. He said that the plan is to do a calibration study after installation.

Mr. Cataffa said that the existing wall sconce fixture has a concealed double-head that shoots one spotlight up and one down. He said that fixture is very bright. He said that type of fixture is typically used to highlight architectural features. He said that the proposed fixture will focus point light on the façade and reduce glare. He said that there will be no direct glare.

Mr. Cataffa said that the number of lighting fixtures will not increase. He said that there are existing gooseneck fixtures shown over the awnings.

Mr. Cataffa said that the existing site is flooded with light. He said that the intention is to tone that down. He said that they want to bring the level of light down to the sidewalk rather than shooting it in different directions. He said that they want to improve the quality of the fixtures.

Mr. Cataffa said that Building G is incorrectly labeled as Building H on Plan A1.0.

The Board asked about the DRB comment for awning color. Mr. Cataffa said that DRB wanted a brighter color rather than black awnings.

The Board asked if all of the proposed wall signs are new. Mr. Cataffa said that they are. He said that when they came out to the property to do a study, they found that the weakness of the property is in the quality of the pedestrian experience. He said that one solution was to address the awnings. He said that they wanted individual tenants to stand out by adding variety to the awnings. He said that combining that with the light fixtures they would be able to better focus on the human scale. He said that the proposal is to introduce high quality blade signs for the tenants to break down the scale of the large building.

Mr. Cataffa said that part of the problem is that more attention was paid to cars in the parking lot than pedestrians on the sidewalk. The Board said that customers will need to see store signs from the parking lot. The Board said that blade signs will encourage pedestrian traffic along the sidewalk. The Board said that the proposed tenant identity is better.

Mr. Cataffa said that there will be a maximum of two signs, one blade sign and one wall sign located on each of the opposite sides of the building near the entrances, per business.

The Board said that it does not want logos or trademarks on the signs. The Board said that the signs should be simple in design and uniform, preferably routed out. The Board said that there shall be only one style of blade sign. The Board said that the signs can only be one shape.

The Board asked why the tenants had to be listed on the entry signs, since Roche Bros. and CVS are visible from the street. Mr. Cataffa said that some of the tenant signs were part of lease agreements. Mike Kelleher said that some of the tenant signs may be eliminated if they are not included in the lease.

The Board said that the size of the entry sign should be scaled down. Mr. Adams said that the intent was to improve the existing conditions. He said that the existing sign is a large wall. He said that they propose to replace it with something that is lighter looking with plant material behind it. He said that the oval portion is approximately 8.5 feet. The Board asked if the linden leaf is necessary. The Board said that it did not like the idea of the lettering "At Wellesley" under the Linden Square lettering. The Board said that the sign should read "Linden Square" only and the linden leaf should be removed.

Mr. Cataffa said that there is no signage on the awnings except for the Cottage where DRB recommended that it be added on the east face. The Board said that there shall be no new signage on awnings. The Board said that existing signage on awnings may remain but cannot be replaced.

Mr. Adams said that there are four existing entry signs. He said that the existing main entry stone wall is approximately five to six feet high. He said that the others are approximately four feet high. Mr. Cataffa said that the problem with the existing signs is that they are visually oppressive. He said that the

proposed sign will be less massive. Mr. Adams said that the centerline at the existing "Linden Square" letters is approximately four to five feet tall. He said that the proposed sign is approximately six feet, or one foot taller. He said that they can strive to lower the sign six to eight inches.

The Board said that its concern is not with the style of the sign but with the size. Mr. Adams said that the proposed sign contains the same information as the existing sign. Mr. Cataffa said that the difference is that the information is now on an open grid instead of on a solid wall.

The Board said that a free-standing two-sided community bulletin board located in the sitting area (the square) would be better than the proposed location. Mr. Cataffa said that they were concerned about having too many permanent features in the limited space for the sitting area. The Board said that the bulletin boards could be located at the entryways. Mr. Adams said that they would pursue suitable options for placement of the bulletin boards.

John Smitka, 4 Highland Road, said that he is an abutter to Linden Square. He said that anything that will soften the look of Linden Square is welcome. He said that on the south side there is a sign with an Ace Hardware logo that is quite visible from the street. The Board said that it has never allowed logos on office buildings, from Wellesley Office Park out to Wellesley College. The Board said that it did not review that particular sign but will ask the Building Inspector if the sign complies with the bylaw.

Mr. Smitka asked about branding the area as Linden Square. He cited Patriot Place as an example of a cookie cutter early century view of what a commercial establishment is supposed to look like. He asked what the business purpose would be for the entry signs.

Mr. Cataffa said that given the size of the property and the fact that it is spread out on two sides of the street, the intention was to simplify identification of the entry points. He said that they wanted to unify the property in a simple format.

Mr. Smitka said that the Board had stated that most people driving down Linden Street know where they are going and do not need a large sign to direct them to Linden Square. He asked if there will be an entry sign by the Linden Store. Mr. Adams said that the existing sign will remain. Mr. Smitka said that it does not make sense to have more signage directing traffic into Linden Square.

Mr. Cataffa said that the intention was also to improve cross shopping for the pedestrian. He said that they reduced the radii of the curbs at the intersection to help the pedestrian feel a closer relationship to the shops across the street. He said that they wanted to create the feel that this is all part of the same center. The Board said that it is not a mall and pedestrians will have to cross a main thoroughfare.

Mr. Cataffa said that they are trying to make Linden Square a pedestrian friendly entity. Mr. Smitka said that making the site more pedestrian friendly with the blade signs is a good idea. He said that he did not see the necessity of branding Linden Square because it is not a destination shopping area. The Board said that Linden Square is a destination for people who come from surrounding towns to go to Roche Bros., The Cottage and Beacon Hill Sports. Mr. Smitka said that those people know where they are going. He said that a branded shopping destination is not consistent with the image that he has of Wellesley. He said that he has lived here since 1976. The Board said that the concept was accepted when Linden Square was built following the initial approval process.

The Board said that the proposed obelisks shall not be allowed. The Board said that obelisks would not be appropriate in the public way and would not serve the pedestrian experience.

The Board said that it was concerned about the height of the island and how a pedestrian would get to it.

Mr. Adams said that the existing crosswalk will remain. He said that the width to the painted islands will be expanded from 13 feet to 14 feet on the south side and from 14 feet to 15 feet on the north side, including a two foot striped shoulder. He said that the islands are proposed in the existing striped area but will be smaller. He said that the intent is to provide traffic calming as well as providing a safe haven for the pedestrians. He said that the islands will have standard curbs and will taper back. He said that there will be three trees planted on the islands, per the request of the DRB. He said that they will plant hardy groundcover. He said that they have had extensive conversations with Cricket Vlass, Town Horticulturalist, and the Natural Resources Commission. He said that a second level would be required for the obelisk. He said that the intent was to put more seasonal rotational plants there. He said that there will be cobblestones beyond the drip line of the last tree.

The Board asked what would be put in place of the obelisks. Mr. Adams said that there needs to be a strong punctuation or terminus to the islands. He said that they will need some sort of visual termination.

Mr. Adams said that the road will be completely plowable up to the curb of the island. He said that snow can be dumped on them without any issues. He said that Federal Realty has agreed to do incidental snow clearing.

The Board said that there should be letters from the Fire and Police Departments in the file regarding the changes in the public way. Mr. Adams said that they have been corresponding with the Fire and Police Departments.

The Board said that a plan without the obelisk should be submitted. The Board confirmed that Federal Realty would be fully responsible for maintenance of the islands. Mr. Kelleher said that they met with DPW.

Mr. Adams said that the obelisk is not the large stake that it is being perceived as. He said that it is small in scale for such a large vehicular area. He said that granite or stone are New England vernacular. He said that it is a modest size piece. He said that the intent is to ground the median and provide pedestrian relief. The Board said that could be accomplished with plant materials.

The Board said that it would only be making a recommendation to the Board of Selectmen (BOS) regarding the islands. The Board said that approval must come from the BOS.

Mr. Smitka said that he felt confident speaking for his neighbors. He said that traffic calming in the street is their number one priority. He said that the speed along the street is too fast. He said that he thought that the islands would accomplish traffic calming.

Mr. Smitka said that Concord, Massachusetts has a stone monument with directions to other towns. He said that something similar could fit in with what is in Wellesley's older neighboring towns.

Mr. Smitka asked if a lane divider or traffic sign would be required. Mr. Adams said that there will not be a lane shift. He said that traffic will go straight through. He said that the turning lane will be lost.

Mr. Smitka said that the neighbors are concerned about the turning radius at the left of the G Building. He said that cars go right through the stop sign, across the pedestrian crossing, and then onto Linden Street without stopping. He said that vehicles would have a harder time doing that if the radius is squared off. Mr. Adams said that is truck access to Roche Bros.

Submittals from the Applicant

Development Prospectus

Stormwater Memo, dated 5/27/10, from Griffin Ryder, P.E., Vanasse Hangen Brustlin Inc.

Site Plan Lighting Schedule, dated 5/26/10, prepared by Collaborative Lighting, LLC

Façade Lighting Schedule, dated 5/27/10, prepared by Federal Realty Investment Trust

Site Plan Support Graphics, dated 5/27/10, prepared by Federal Realty Investment Trust

Construction Management Diagram, dated 5/27/10, prepared by Federal Realty Investment Trust

Renderings

Plan Number	Drawing Title	Date of Issue	Prepared By
A1.1	Building G Proposed South Façade	5/27/10	Federal Realty Investment Trust
A1.2	Building G Existing South Façade	5/27/10	Federal Realty Investment Trust
A1.3	Building G Proposed West Façade	5/27/10	Federal Realty Investment Trust
A1.4	Building G Existing West Façade	5/27/10	Federal Realty Investment Trust
A1.5	Building G Proposed North Façade	5/27/10	Federal Realty Investment Trust
A1.6	Building G Existing North Façade	5/27/10	Federal Realty Investment Trust
A1.7	Building G Proposed East Façade	5/27/10	Federal Realty Investment Trust
A1.8	Building G Existing East Façade	5/27/10	Federal Realty Investment Trust
A2.1	Building H Proposed South Façade	5/27/10	Federal Realty Investment Trust
A2.2	Building H Existing South Façade	5/27/10	Federal Realty Investment Trust
A2.3	Building H Proposed West Façade	5/27/10	Federal Realty Investment Trust
A2.4	Building H Existing West	5/27/10	Federal Realty Investment Trust

	Façade		
A2.5	Building H Proposed North Façade	5/27/10	Federal Realty Investment Trust
A2.6	Building H Existing North Façade	5/27/10	Federal Realty Investment Trust
A2.7	Building H Proposed East Façade	5/27/10	Federal Realty Investment Trust
A2.8	Building H Existing East Façade	5/27/10	Federal Realty Investment Trust

Plans

SV-1	Roadway Survey	5/27/10	Russell J. Bousquet, Land Surveyor
C1.0	Civil Details	5/27/10	Timothy B. McIntosh, P.E.
C2.0	Civil Details	5/27/10	Timothy B. McIntosh, P.E.
C3.0	General Plan	5/27/10	Timothy B. McIntosh, P.E.
C4.0	General Plan	5/27/10	Timothy B. McIntosh, P.E.
C5.0	Alignment & Grading Plan	5/27/10	Timothy B. McIntosh, P.E.
C6.0	Alignment & Grading Plan	5/27/10	Timothy B. McIntosh, P.E.
C7.0	Traffic Management Plan	5/27/10	Timothy B. McIntosh, P.E.
L1.1	Site Demolition Plan	5/27/10	Charles Kozlowski, Landscape Architect
L1.2	Site Materials Plan	5/27/10	Charles Kozlowski, Landscape Architect
L1.3	Grading Plan	5/27/10	Charles Kozlowski, Landscape Architect
L1.4	Planting Plan	5/27/10	Charles Kozlowski, Landscape Architect
L2.1	Site Details	5/27/10	Charles Kozlowski, Landscape Architect
L2.2	Site Details	5/27/10	Charles Kozlowski, Landscape Architect
L2.3	Site Details	5/27/10	Charles Kozlowski, Landscape Architect
L2.4	Site Details	5/27/10	Charles Kozlowski, Landscape Architect
S0.1	General Notes	5/27/10	Mark F. Aho, P.E.
S1.0	Pergola & Pavilion Framing & Foundation Plans	5/27/10	Mark F. Aho, P.E.
S1.1	Canopy Framing & Foundation Plans	5/27/10	Mark F. Aho, P.E.
S2.0	Sections & Details	5/27/10	Mark F. Aho, P.E.
A1.0	Building G Proposed Elevations	5/27/10	Louis Allevato, Architect
A2.0	Building H Proposed	5/27/10	Louis Allevato, Architect

	Elevations		
A3.0	Building Details & Schedule	5/27/10	Louis Allevato, Architect

On June 9, 2010, the DRB voted unanimously to recommend approval of the amendments to the original site plan approval with conditions.

On June 16, 2010 the Planning Board reviewed the petition and recommended that the proposed amendments to the subject site plan approval be granted with conditions.

On June 16, 2010, Douglas Stewart, Department of Public Works, Engineering Division, submitted a memo listing conditions for approval.

The Board's approval of the amended Site Plan for the Project is premised on the Applicant's and Project's compliance with the following conditions (the "Conditions"). All requirements imposed by the Conditions or this amended Site Plan Approval shall be applicable to the entity responsible for the administration of the Project regardless of whether the condition specifically identifies the Applicant, the responsible entity, or no entity as having responsibility for a particular condition. By accepting this amended Site Plan Approval, the Applicant agrees to the terms, covenants, conditions, and agreements contained herein.

CONDITIONS

1. Design Review Board comments, as stated in their June 10, 2010 Recommendation, shall be incorporated.
2. Department of Public Works, Engineering Division comments, as stated in their June 16, 2010 memo, shall be incorporated.
3. There shall be one single uniform design and shape for the blade signs.
4. There shall be a maximum of two signs, one blade sign and one wall sign located on each of the opposite sides of the building near the entrances, per business.
5. There shall be no logos or trademarks on the signs.
6. There shall be no new signage on awnings.
7. Existing signage on awnings may remain but cannot be replaced.
8. The main entry sign shall be no taller than eight inches over the height of the existing brick wall main entry sign.
9. The linden leaf shall be removed from the entry signs.
10. The words, "At Wellesley" shall be removed from the entry signs.
11. There shall be no obelisks on the traffic islands.
12. A plan shall be submitted showing the traffic islands without the obelisks.
13. Federal Realty shall be fully responsible for maintenance of the traffic islands.
14. Federal Realty shall be fully responsible for incidental snow clearing of the traffic islands.
15. Letters from the Fire Department and the Police Department regarding changes in the public way shall be submitted.

16. Zoning Board of Appeals review of construction in the public way is for recommendation purposes only. Final approval of construction in the public way is subject to the Board of Selectmen.

The Board encourages the removal of the tenant signs on the entry signs unless they are part of a lease agreement.

ZBA 2010-50
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161-231 Linden Street (Linden Square)

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

Richard L. Seegel, Chairman

Cynthia S. Hibbard

David G. Sheffield

cc: Planning Board
Inspector of Buildings
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